



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:** James M. Derderian

**Serial No.:** 09/939,253

**Filed:** August 24, 2001

**For:** SEMICONDUCTOR DEVICES AND  
SEMICONDUCTOR DEVICE  
ASSEMBLIES INCLUDING A  
NONCONFLUENT SPACER LAYER  
(AMENDED)

**Confirmation No.:** 2189

**Examiner:** A. Williams

**Group Art Unit:** 2826

**Attorney Docket No.:** 2269-4830US  
(01-0106.00/US)

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

October 28, 2004  
Date

*Rachael M. Harris*  
Signature

Rachael M. Harris  
Name (Type/Print)

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of U.S. patents are not being submitted pursuant to M.P.E.P. 609 III A(2). The listed documents were cited by the Office in co-pending application Serial No. 10/225,973, filed on August 22, 2002, and directed to a related invention.

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicant herein that no other possible material information as defined in 37 C.F.R. § 1.56 (b) exists.

U.S. Patent Documents

<u>U.S. Patent No.</u>	<u>Publication Date</u>	<u>Patentee</u>
US - 4,184,043	January 15, 1980	Hildering
US - 5,251,806	October 12, 1993	Agarwala et al.
US - 5,296,738	March 22, 2994	Freyman et al.
US - 6,005,778	December 21, 1999	Spielberger et al.
US - 6,080,264	June 27, 2000	Ball
US - 6,593,662	July 15, 2003	Pu et al.
US - 6,682,954	January 27, 2004	Ma et al.

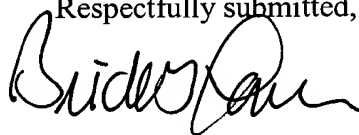
Applicant offers to supply any explanation or discussion of the documents which the Examiner feels is necessary or desirable and which is requested.

This Supplemental Information Disclosure Statement is filed after the mailing date of the first Office Action on the merits.

Serial No. 09/939,253

I hereby certify that no item of information contained in the Supplemental Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the statement, and therefore no fee is due.

Respectfully submitted,



Brick G. Power  
Registration No. 38,581  
Attorney for Applicant(s)  
TRASKBRITT  
P.O. Box 2550  
Salt Lake City, Utah 84110-2550  
Telephone: 801-532-1922

Date: October 28, 2004  
BGP/djp:rmh

Enclosures: Form PTO-1449 or PTO/SB/08  
Copy of documents cited

Document in ProLaw

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.